

**IN THE DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TARGET BRANDS, INC., a Minnesota corporation,)
vs.)
RUSSELL PETROLEUM CORPORATION, an Alabama corporation, and WAYNE RUSSELL, an Alabama resident,)
Defendants.)

Civil Action No. 2:07-cv-1113

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), the following attorneys have conferred regarding proposed deadlines in this case and submit the following joint report:

Michael S. Denniston, George R. Parker, James R. Steffen and Timothy J. Cruz, representing the plaintiff Target Brands, Inc.;

J. Doyle Fuller and Jacob A. Fuller, representing defendants Russell Petroleum Corporation and Wayne Russell.

2. **Pre-Discovery Disclosures.** The parties shall exchange the information required by Rule 26(a)(1) within 21 days of the entry of the Court's scheduling order.
3. **Discovery Plan.** The parties jointly propose the following discovery plan:

- (1) All discovery commenced in time to be completed by January 5, 2009.
- (2) Maximum of 8 depositions for the Plaintiff and 8 depositions for the Defendants, with a maximum time limit of 8 hours per deposition, unless extended by agreement of the parties.
- (3) Maximum of 25 Interrogatories by each party, with responses due within thirty days after service.

- (4) Maximum of 20 Requests for Admissions by each party, with responses due within thirty days after service.
- (5) Maximum of 50 Requests for Production by each party, with responses due within thirty days after service.
- (6) Supplements under Fed.R.Civ.P. Rule 26(e), are due 30 days before the close of discovery.

4. **Other Items.**

- (1) The parties do not request a conference with the Court before entry of the scheduling order.
- (2) Reports from retained experts under Rule 26(a)(2) F.R.C.P. are due from the plaintiff by August 28, 2008, and any such experts shall be made available for deposition by no later than September 11, 2008. Reports from retained experts from the defendant are due by September 29, 2008, and any such experts shall be made available for deposition by not later than October 14, 2008.
- (3) The parties request a pretrial conference on January 26, 2009.
- (4) All potentially dispositive motions should be filed by October 28, 2008.
- (5) Any motions to amend the pleadings or to join additional parties should be filed within 30 days of the entry of the Court's scheduling order.
- (6) Settlement and mediation cannot realistically be evaluated until the parties conduct further discovery.
- (7) Final list of trial witnesses and exhibits under Fed. R. Civ. P. 26(a)(3) must be served and filed:
 - a. By the Plaintiff: 30 days before trial; and
 - b. By the Defendants: 30 days before trial.
- (8) Objections are to be filed within 15 days after receipt of final list.
- (9) This case should be ready for trial at the March 2, 2009 term.
- (10) Trial is expected to last 3 days.

The attorneys for the Defendants have reviewed this Report of the Parties' Planning Meeting and consent to the attorneys for the Plaintiff e-filing this report.

Respectfully submitted this the 29th day of February, 2008.

/s/George R. Parker

Michael S. Denniston
George R. Parker
James R. Steffen
Timothy J. Cruz
Attorneys for Plaintiff Target Brands, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 29, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James R. Steffen, Esquire
Timothy J. Cruz, Esquire
FAEGRE & BENSON, LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901

J. Doyle Fuller, Esquire
Jacob A. Fuller, Esquire
LAW OFFICE OF J. DOYLE FULLER, P.C.
2851 Zelda Rd
Montgomery, AL 36106-2614

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: None

/s/ George R. Parker
OF COUNSEL